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REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-29 are pending in the application. Claims 1, 12-15, 25, 28, and 29 have been amended. No claims have been added. No claims have been canceled.

The Examiner rejected claims 1, 12, 13, 14, 15, 25, 28, and 29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the examiner mentioned the terms "preference information" and "service object". Applicant respectfully submits that the term "preference information" is information about one or more preferences. Such preferences may be user preferences. Applicant respectfully submits that the term is clear and that no further amendment with respect to the claims is necessary. With respect to the term "service object", the term "object" is a well-known term in the software computing arts. Thus, a "service object" is an object corresponding to a service. Although not necessary, Applicant has amended the claims to set forth that the service object includes executable code. Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 112 has been overcome by the amendments and the remarks. Applicant submits that claims 1, 12, 13, 14, 15, 25, 28, and 29 as amended are now in condition for allowance and such action is earnestly solicited.

The Examiner rejected claims 1, 12, 13, 14, 15, 25, 28, and 29 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended Claims 1, 12, 25 and 29 and believes these amendments ensure that these claims are in statutory form. With respect to Claims 13-15 and 28, Applicant believes these claims are directed to statutory subject matter. Claim 13 is directed to a server, Claim 14 is directed to a client device, Claim 15 is directed to a system and Claim 28 is directed to a server. A server, a

client device and a system are all clearly statutory subject matter. Applicant respectfully requests the Examiner withdraw the rejection with respect to the claims. Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 101 has been overcome by the amendments and the remarks. Applicant submits that claims 1, 12, 13, 14, 15, 25, 28, and 29 as amended are now in condition for allowance and such action is earnestly solicited.

The Examiner rejected claims 1-29 under 35 U.S.C. § 102(e) as being anticipated by Novaes et al (U.S. 6,823,356). Applicant respectfully disagrees.

Claim 1 as amended is as follows:

A computer-implemented method comprising:  
gathering run-time capability and preference information for an application, client device and server regarding an application service object having executable code; and  
directing replication of at least one application service object from the server to the client device based on the client, the server, and the application run-time capability and preference information to enable execution of the at least one application service object by the client device.

From Claim 1, the present invention as claimed sets forth directing replication of an application service object based on application run-time capability and preference information. Applicant respectfully submits that this feature is not shown in Novaes.

Novaes discloses a distributed computing environment that serializes replicated transactions. The system allows transactions to be replicated without having a client application instance be aware of other application instances. The Examiner believes that Novaes discloses directing replication of an application service object based on application run-time capability and preference information at column 3, lines 41-67 and all of columns 4-7, 9 and 10. Applicant respectfully submits that the 26 lines of text from column 3 and columns 4-7, 9 and 10 cited in full do not show directing replication of an application service object based on application run-time capability and preference information. Applicant respectfully requests the Examiner to specify where in the 6 ½ columns of text the Examiner cited he believes this feature is shown. In

view of the above, Applicant respectfully submits that Novaes does not anticipate the present invention as claimed in Claim 1.

The remaining independent claims includes substantially similar limitations. Therefore, for the same reasons, Applicant respectfully submits that these claims are in condition for allowance as well.

Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 102(e) has been overcome by the amendments and the remarks. Applicant submits that claims 1-29 as amended are now in condition for allowance and such action is earnestly solicited.


Accordingly, Applicants respectfully submit that the rejections have been overcome by the amendments and the remarks and withdrawal of these rejections is respectfully requested. Applicants submit that Claims 1-29 as amended are in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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